

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AST ENTERPRISES INC. c/o TRANSBULK SHIPPING
L.L.C.,

Plaintiff,

- against -

M/S AL-CHEMI MINES AND MINERALS a/k/a
AL-CHEMIE MINES AND MINERALS,

Defendant.

07 CV 3945 (PAC)

ECF CASE

**SUPPLEMENTAL AFFIDAVIT IN SUPPORT
OF PRAYER FOR RELIEF WITHIN MARITIME ATTACHMENT ACTION**

State of Connecticut)
)
County of Fairfield) ss: SOUTHPORT

Kevin J. Lennon, being duly sworn, deposes and says:

PRAYER FOR RELIEF FOR ORDER ALLOWING SPECIAL PROCESS SERVER

1. Plaintiff seeks an Order pursuant to Rule 4(c) of the Federal Rules of Civil Procedure, for an Order appointing the undersigned, Patrick F. Lennon, Charles E. Murphy, Nancy Peterson or any other partner, associate, paralegal or agent of Lennon, Murphy & Lennon, LLC be and is hereby appointed, in addition to the United States Marshal, to serve the Process of Maritime Attachment and Garnishment and the Verified Complaint, together with any interrogatories, upon the garnishee(s), together with any other garnishee(s) who (based upon information developed subsequent hereto by the Plaintiff) may hold assets of, for or on account of, the Defendants.

2. Plaintiff seeks to serve the prayed for Process of Maritime Attachment and Garnishment with all deliberate speed so that it may be fully protected against the potential of being unable to satisfy a judgment ultimately obtained by Plaintiff and entered against the Defendants.

3. To the extent that this application for an Order appointing a special process server with respect to this attachment and garnishment does not involve a restraint of physical property, there is no need to require that the service be effected by the Marshal as it involves simple delivery of the Process of Maritime Attachment and Garnishment to the various garnishes to be identified in the writ.

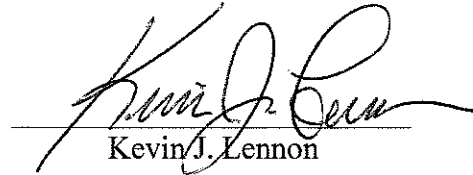
PRAYER FOR RELIEF TO SERVE LATER IDENTIFIED GARNISHEES

4. Plaintiff also respectfully requests that the Court grant it leave to serve any additional garnishee(s) who may, upon information and belief obtained in the course of this litigation, to be holding, or believed to be holding, property of the Defendants, within this District. Obtaining leave of Court at this time to serve any later identified garnishees will allow for prompt service of the Process of Maritime Attachment and Garnishment without the need to present to the Court amended Process seeking simply to identify other garnishee(s).

PRAYER FOR RELIEF TO DEEM SERVICE CONTINUOUS

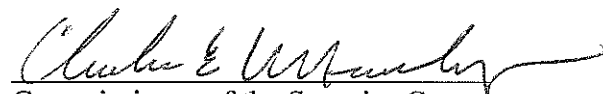
5. Further, in order to avoid the need to repetitively serve the garnishees/banks, Plaintiff respectfully seeks further leave of the Court, as set out in the accompanying Ex Parte Order for Process of Maritime Attachment, for any process that is served on a garnishee to be deemed effective and continuous service of process throughout any given day on which process is served through the next day, provided that process is served the next day, to authorize service of process via facsimile or e-mail following initial *in personam* service.

Dated: May 22, 2007
Southport, CT



Kevin J. Lennon

Sworn and subscribed to before me
this 22nd day of May, 2007.



Commissioner of the Superior Court